

# Notice of Allowability

Application No.

10/824,356

Examiner

Kara E. Geisel

Applicant(s)

SUZUKI, TOSHIYUKI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed 19 June 2007.
2. ☒ The allowed claim(s) is/are 1 and 3-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 0707
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20070706
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 19<sup>th</sup>, 2007 has been entered.

### ***Information Disclosure Statement***

The information disclosure statement filed July 5<sup>th</sup>, 2007 has been considered by the examiner.

### ***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Scott Wakeman on July 6<sup>th</sup>, 2007.

The application has been amended as follows:

In regards to claim 3, line 9, --and the thickness of the lens-- has been added before “; and”.

The amended claim appears below:

3. A method for measuring fundamental data of a lens, comprising the steps of:

illuminating the lens with a light at a predetermined angle of incidence from a first surface side of the lens,

measuring degree of refraction of the transmitted light that passes through the lens from a second surface side of the lens;

measuring a thickness of the lens;

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calculating the fundamental data of the lens based upon a plurality of "angle of incidence--degree of refraction" relationships obtained by measuring the degree of refraction with respect to at least two different angles of incidence obtained for each of the two surfaces of the lens and the thickness of the lens; and

outputting the calculated fundamental data of the lens.

*Examiner's Reasons for Allowance*

Claims 3-4, and 8-11 are allowed over the prior art of record for the reasons set forth in the previous Office Actions (paper numbers 20070308 and 20060911).

Claims 1, 5-7, and 12-13 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

As to claim 1, the prior art of record, taken alone or in combination, fails to disclose or render obvious a method for measuring fundamental data of a lens, comprising calculating a thickness of the lens, a focal distance of the first side surface of the lens, a focal distance of the second side surface of the lens, a focal distance of the lens, a curvature of radius of the first side surface of the lens, a curvature of radius of the second side surface of the lens and a refractive index of the lens **based upon first, second, third, fourth, fifth and sixth "angle of incidence-degree of refraction" relationships**, in combination with the rest of the limitations of claim 1.

As to claim 5, the prior art of record, taken alone or in combination, fails to disclose or render obvious device for measuring the fundamental data of a lens, comprising: a processor in communication with illuminating means and detecting means, the detecting means communicating signals corresponding to the transmitted light to the processor, wherein the processor (1) causes illumination of **a measurement point** with the light from the illuminating means **at the plurality of different angles of incidence**, respectively, and (3) calculates the fundamental data of the lens based upon a plurality of "angle of

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incidence--degree of refraction" relationships obtained for the **plurality of different angles of incidence at the measurement point**, in combination with the rest of the limitations of claim 5.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

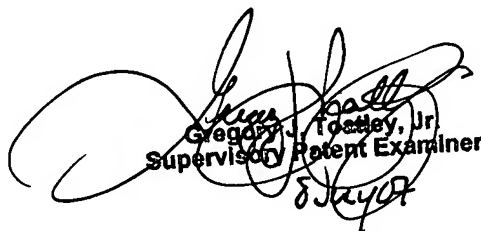
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kara E Geisel whose telephone number is **571 272 2416**. The examiner can normally be reached on Monday through Friday, 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on **571 272 2800 ext. 77**. The fax phone number for the organization where this application or proceeding is assigned is **571 273 8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Gregory J. Toatley, Jr.  
SPE  
AU 2877**

*K.G.*  
KEG  
July 6, 2007

  
Gregory J. Toatley, Jr.  
Supervisory Patent Examiner  
*8/1/07*